

REMARKS/ARGUMENTS

Applicants have reviewed and analyzed the Office Action dated April 20, 2007, and provide the following remarks and comments in response thereto. Applicants note that the undersigned is new counsel of record pursuant to the Power of Attorney filed September 21, 2007. Claims 1, 4-6 and 8 have been amended. Claims 10-15 have been added. No new matter has been added. Claims 1, 4-6, 8 and 10-15 are pending upon entry of the present amendment.

Claim Rejection Under 35 U.S.C. §103

Claims 1 and 4-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nikolovska *et al.* (U.S. Patent No. 6,281,898, “Nikolovska”) in view of Handelman *et al.* (U.S. Patent No. 6,312,336, “Handelman”) and Beer (U.S. Patent No. 5,793,368, “Beer”). This rejection is traversed for the following reasons.

Amended independent claim 1 recites “a morphing engine including a database of different EPG presentation solutions, the morphing engine is configured to select one of said EPG presentation solutions from the database based on a control command generated by the signal filter, *wherein the control command is generated by the signal filter based on a time trigger.*” (emphasis added). Nowhere do any of the references, either separately or in combination, teach or suggest sending a control command to modify the topology of the programming guide based on a time trigger. The Office Action concedes that Nikolovska fails to disclose a morphing engine including a database of different EPG presentation solutions and based on a control command generated by a signal filter, selecting one of the solutions from said database for display. Thus, it follows that Nikolovska also does not teach or suggest selecting one of the solutions from said database for display based on a control command generated by a signal filter based on a time trigger. Neither Handelman nor Beer, either separately or in combination, cures this deficiency of Nikolovska. At most, Beer discloses a method and system for allowing a user to retrieve a user interface and a visual style from a local or remote storage unit. Col. 2, ll. 9-13. Nonetheless, Beer lacks a teaching or suggestion of retrieving or using a visual style in response to a control command generated by a signal filter based on a time trigger, as recited in claim 1. Accordingly, claim 1 is allowable for at least these reasons.

Claims 2, 4-6 and 8 are dependent on claim 1 and are thus allowable for at least the same reasons as claim 1 and further in view of the novel and non-obvious features recited therein.

New Claims

New claims 10-14 have been added. While Applicants note that these claims have not been rejected, Applicants submit the following remarks in the interest of expediting prosecution.

Independent claim 10 recites, *inter alia*, “in response to determining that the predefined time has been reached, modifying the electronic programming guide in accordance with the user requested change to the at least one portion of the electronic programming guide.” Nowhere do any of the cited references teach or suggest such features. At most, Beer discloses a method and system for allowing a user to retrieve a user interface and a visual style from a local or remote storage unit. Col. 2, ll. 9-13. Nonetheless, Beer lacks a teaching or suggestion of retrieving or using a visual style in response to determining that a predefined time has been reached, as recited in claim 10. Accordingly, claim 10 is allowable for at least these reasons.

Independent claim 14 recites features similar to those discussed with respect to claim 10 and is thus allowable for substantially similar reasons as claim 10.

Claims 11-13 and 15 are dependent on claims 10 and 14, respectively, and are thus allowable for at least the same reasons as their base independent claim.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3156.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: October 22, 2007

By: /Chunhsi Andy Mu/

Chunhsi Andy Mu
Registration No. 58,216

1100 13th Street, N.W., Suite 1200
Washington, D.C. 20005-4051
Tel: (202) 824-3000